

Introduced by Senator Escutia

February 21, 2003

An act to amend Section 1281.85 of the Code of Civil Procedure, relating to arbitration.

LEGISLATIVE COUNSEL'S DIGEST

SB 940, as introduced, Escutia. Arbitration: neutral arbitrators.

Existing law requires a neutral arbitrator to comply with ethical standards, as adopted by the Judicial Council effective July 1, 2002.

This bill would make nonsubstantive, technical changes to that provision.

Vote: majority. Appropriation: no. Fiscal committee: no. State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 1281.85 of the Code of Civil Procedure
2 is amended to read:
3 1281.85. (a) Beginning July 1, 2002, a person serving as a
4 neutral arbitrator pursuant to an arbitration agreement shall
5 comply with the ethics standards for *neutral* arbitrators adopted by
6 the Judicial Council pursuant to this section. The Judicial Council
7 shall adopt ethical standards for all neutral arbitrators effective
8 July 1, 2002. These standards shall be consistent with the standards
9 established for arbitrators in the judicial arbitration program and
10 may expand but may not limit the disclosure and disqualification
11 requirements established by this chapter. The standards shall
12 address the disclosure of interests, relationships, or affiliations that
13 may constitute conflicts of interest, including, *but not limited to*,

- 1 prior service as an arbitrator or other dispute resolution neutral
- 2 entity, disqualifications, acceptance of gifts, and establishment of
- 3 future professional relationships.
- 4 (b) Subdivision (a) does not apply to an arbitration conducted
- 5 pursuant to the terms of a public or private sector collective
- 6 bargaining agreement.

